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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

**CIRILO UCHARIMA ALVARADO, On Behalf
 of Himself and All Others Similarly Situated;**

Plaintiff,

V.

WESTERN RANGE ASSOCIATION;

Defendant.

Case No. 3:22-cv-00249-MMD-CLB

**ORDER GRANTING STIPULATION
 TO STAY DISCOVERY AND VACATE
 CASE MANAGEMENT CONFERENCES
 PENDING RESOLUTION OF RULE 12
 MOTIONS**

Plaintiff CIRILO UCHARIMA ALVARADO ("Plaintiff"), by and through his counsel of record, JAMIE CROOKS of FAIRMARK PARTNERS, LLP, and Defendant WESTERN RANGE ASSOCIATION ("Defendant"), by and through its counsel of record, ELLEN JEAN WINOGRAD of WOODBURN AND WEDGE, hereby

1 stipulate, and request this Court, to stay discovery in this matter until the resolution of Defendant's Rule 12
2 Motion and Motion for Change of Venue (ECF # 23). As further grounds for this stipulation and request the
3 parties jointly state as follows:

4 1. Plaintiff filed suit against Western Range Association (ECF # 1) and it was served on July 26, 2022.
5 (ECF # 22)

6 2. Defendant Western Range moved to Dismiss Plaintiff's Complaint or in the Alternative for Change of
7 Venue. (ECF # 23)

8 3. Pursuant to a Stipulation of the parties, this Court Ordered a non-standard briefing schedule on
9 Defendant Western Range's Motion to Dismiss or in the Alternative to Change Venue. (ECF # 26)

10 4. Plaintiff's deadline to file an opposition to Defendant's motion to dismiss or change venue is due
11 October 14, 2022. (*Id.*)

12 5. Defendant's deadline to file a reply for this motion is due November 14, 2022. (*Id.*)

13 6. Pursuant to Magistrate Judge Carla Baldwin's 2022 Standing Order § V (A) and *Tradebay, LLC, v.*
14 *eBay, Inc.*, 278 F.R.D. 597 (D. Nev. Dec. 13, 2011), and the Parties stipulate to move for a stay of Discovery as
15 follows:

16 7. The Parties believe that a stay of discovery pending determination of Defendant's motion is in the
17 interests of judicial economy and avoiding unnecessary expense before important legal issues are addressed.
18 FRCP 1. The Court's decision on Defendant's FRCP (12)(b) dispositive motion(s) may narrow, eliminate, or
19 transfer the issues to another Court. In the interest of judicial economy, Defendant believes it would be proper
20 to make such disclosures once Defendant's pending motions have been decided and the parties know the
21 precise scope of legal issues and in which forum this case will be litigated.

22 8. The parties respectfully submit that deferring discovery until these legal and venue issues are
23 resolved, will maximize efficiency and serve the interests of justice and judicial economy, particularly to the extent
24 that venue is at issue and Utah Local District Court Rules differ from those in Nevada. FRCP 1.

25 9. This Stipulation is made in good faith and not for purposes of delay.

26 10. Nothing in this Stipulation, nor the fact of entering into same, shall be construed as waiving any claim
27 or defense held by any party.

11. For all of these reasons, the parties stipulate and request the Court to stay discovery pending a ruling on Defendant's Dispositive and Venue Change Motion(s). Further, if a stay is granted, the parties agree to vacate all case management conferences until the Defendant's pending Motion(s) are resolved and this Court issues new Case Management deadlines.

Dated: October 12, 2022

FAIRMARK PARTNERS, LLP

WOODBURN AND WEDGE

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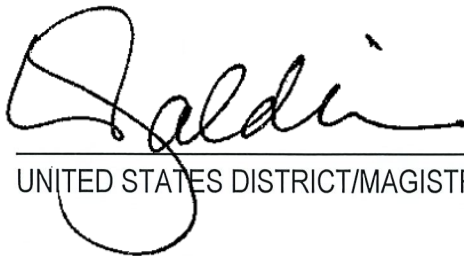
Counsel for Plaintiff and the Putative Class

Counsel for Defendant

ORDER

IT IS SO ORDERED

Dated: October 13, 2022



UNITED STATES DISTRICT/MAGISTRATE JUDGE